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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 4081—R. T. 26-37-22, dated Bangalore,
the 16th June 1938.

Subject.—*Refund of Taxes.*

In exercise of the powers conferred upon them by sub-section (4) of section (9) of the Mysore Road Traffic and Taxes Act No. VI of 1935 as amended by Act No. IX of 1936, the Government of His Highness the Maharaja are pleased to issue the following amendment to clause (d) of Rule 24 of the Mysore Motor Vehicles Tax Rules, Part I (Page 144 of the Mysore Motor Manual):—

Amendment.

Rule 24 (d). Delete the words “on tour” at the end of sub-clause (i).

The sub-clause after the said amendment will read as follows:—

“(i) the said person being out of the State.”

No. T. 4084—R. T. 9-37-31, dated Bangalore,
the 16th June 1938.

In exercise of the powers conferred on them by

Buick Grey 1937 Model, distinguishing No. Hyderabad.				Sections 13 and 22
Buick Yellow 1936	do	do	do	of the Mysore Road
Plymouth grey 1937	do	do	do	Traffic and Taxes
Plymouth 1937	do	do	do	Act VI of 1935,
Austin 1937	do	do	do	the Government of
Chevrolet 1937	do	do	do	His Highness the
Oldsmobile 1937	do	do	do	
International Bus			do	

Maharaja are pleased to direct that the marginally noted Motor Vehicles belonging to His Highness the Prince of Berar be exempt from taxes and tolls under the said Act and also all tolls due under the Municipal Acts, during the period of His Highness's present stay in Mysore State.

No. T. 4141—R. T. 10-37-46 Bangalore, dated
the 20th June 1938.

The following draft amendment which the Government propose to make in virtue of the powers vested in them under Section 11 of the Mysore Motor Vehicles Act, 1928, to Rule 45 (i) and (ii) of the Rules regarding public service motor vehicles as amended from time to time (*vide* page 98 of the Mysore Motor Manual, 1938) is hereby published for the information of persons likely to be affected thereby and any suggestions or objections received on or before the 14th July 1938 will be considered by Government, before issuing the rule finally :—

Draft Amendment.

The following may be substituted for Rule 45 (i) and (ii) of the Rules regarding public service motor vehicles (*vide* page 98 of the Mysore Motor Manual, 1938).

45. (i) The proprietor of motor buses should obtain a duly numbered driver's badge from the District Superintendent of Police in respect of each vehicle maintained by him. The proprietor shall supply such badge to the driver of the vehicle in respect of which the badge is issued. The driver shall wear the badge in a conspicuous place on his left breast.

(ii) The fee payable for a badge shall be one rupee. If a badge is lost, a new one shall be obtained on payment of a similar fee.

(iii) The proprietor shall surrender the badge to the District Superintendent of Police on the permit for the vehicle being suspended or cancelled or becoming time expired. If the badge is not surrendered, the proprietor shall be liable to pay a fee of one rupee to the District Superintendent of Police.

No T. 4151—R. T. 10-37-47, dated *Bangalore*,
20th June 1938.

In exercise of the powers conferred on them by Section 11 of the Mysore Motor Vehicles Act 1928, and Sections 5 and 33 of the Mysore Road Traffic and Taxes Act VI of 1935, the Government of His Highness the Maharaja are pleased to issue the following amendments to Rule 9(i) of the Rules regarding permits for Motor Lorries and Rule 52 of the Rules regarding Public Service Motor Vehicles (*vide* pages 126 and 100 respectively), the draft in the said behalf having already been published with Notification No. T. 2873—R. T. 10-37-24, dated 9—11th March 1938, at page 53 Part IV of the *Mysore Gazette*, dated 17th March 1938.

AMENDMENTS.

The following rule shall be added as Rule 9(i) to the Rules regarding permits for Motor Lorries issued with Notification No. P. 3993—Legis. 46-35, dated 18th December 1935, and the existing Rules 9(i), (ii) and (iii) be re-numbered as (ii), (iii) and (iv) respectively. (*Vide* page 126 of the Mysore Motor Manual 1938.)

“9 (i). A private carrier's permit will be given only if the District Magistrate is satisfied as to the solvency and fitness of the person applying for the permit.”

The following rule shall be added as rule 52 (i) of the rules regarding Public Service Motor Vehicles issued with Notification No. P. 3992—Legis. 46-35, dated 18th

December 1935, and the existing rule 52 re-numbered as 52 (ii). (*Vide* page 100 of the Mysore Motor Manual 1938.)

“52 (i). A permit to ply a motor cab will be given only if the District Magistrate is satisfied that the person applying for the permit is a fit and proper person and has the capacity to manage the service efficiently.”

*No. T. 4161—R. T. 10-37-48, dated Bangalore,
the 20th June 1938.*

In exercise of the powers conferred on them by Section 11 of the Mysore Motor Vehicles Act, 1928, the Government of His Highness the Maharaja are pleased to issue the following amendment to Rule 3 of the Mysore Motor Vehicles Rules, 1924, as amended from time to time, the draft in the said behalf having already been published with Notification No. T. 2874—R. T. 10-37-25, dated 9/11th March 1938, at page 54, Part IV of the *Mysore Gazette*, dated 17th March 1938.

AMENDMENT.

The following shall be added as Note to para 1 of Rule 3 of the Mysore Motor Vehicles Rules, 1924, as amended from time to time :—

NOTE.—The registration of a motor vehicle purchased under a hire purchase agreement shall be effected only after the hirer satisfies the registering authority as to his status and financial stability.

*No. T. 4171—R. T. 38-37-12, Bangalore,
dated 20th June 1938.*

Subject.—RECOVERY OF NET TAX.

In exercise of the powers vested in them under section 13 of the Mysore Road Traffic and Taxes Act No. VI of 1935, as amended by Act No. IX of 1936, the Government of His Highness the Maharaja are pleased to

direct that the following rule be inserted as Rule 2c under the Mysore Motor Vehicles Tax Rules, Part I.

"2c.—The Inspector-General of Police in Mysore is authorised to collect, for periods which have expired and where issue of license is not involved, the net amount of tax actually due; that is to say, the tax due for the quarter or half year as the case may be, less the amount to be refunded for the period of non-use according to rules, on Motor Vehicles in respect of which he is competent to sanction refunds."

By Order,

C. SUBRAHMANYA AIYAR,
Ag. Secretary to Government,
General Department.

No. D. 9381—C. S. 11-36-267, Bangalore,
dated 20th June 1938.

Corrigenda.

In line 4 of Rule 6-B published in Notification No. D. 8383—C. S. 11-36-258, dated 29th April 1938, appearing in page 88 of Part IV of the *Mysore Gazette*, dated 5th May 1938, insert "Members" between the words "fifteen" and "elected."

By Order,

P. H. KRISHNA RAO,
Secretary to Government,
Local Self-Government Department.

No. G: 9987—P. H. 44-37-24, dated Bangalore,
the 20th June 1938.

Under Section 20 of the Prevention of Adulteration Act, IX of 1921, as amended from time to time, Government are pleased to extend to the Mandya Town Municipality the following rules issued with Notification No. G. 2463—San. 61-30-7, dated 22nd September 1931:—

By Order,

P. H. KRISHNA RAO,

Secretary to Government,

Local Self-Government Department.

Rules under the Mysore Prevention of Adulteration Act.

1. In these rules, "Act" means the Mysore Prevention of Adulteration Act IX of 1921.

"Section" means section of the above Act.

Section 3.—

2. The officer to whom the local executive officer may delegate his powers shall be of the rank of a Health Officer or shall hold the diploma of Public Health. No legal proceedings under the Act shall be instituted without the permission in writing of the President or the Commissioner, as the case may be.

Section 20 (b).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (c).—

4. *Cleanliness of Vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed

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with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured, prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (d).—

5. *How notice of Admixture, Addition or Deficiency shall be given.*—If the vendor of any article intended for food knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada, or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (e).—

6. The standards of purity prescribed for milk, cream, butter and ghee are as follows:—

Milk.—

Cow's Milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk), contains less than three per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk, whether sold as cow's milk or as skimmed or separated cow's milk, contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved,

that the milk is not genuine by reason of the addition thereto of water.

Buffalo Milk.—(4) Where a sample of buffalo milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(5) Where a sample of buffalo milk, whether sold as buffalo milk, or as skimmed or separated buffalo milk, contains less than nine per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo milk, whether sold as buffalo milk or as skimmed or separated buffalo milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

N. B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk when it is analysed, is so far decomposed that an estimation of the proportion of milk-solids other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified Milk.—(7) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum limit for Dirt in Milk.—(8) Where a sample of milk, separated or skimmed milk, deposits, on standing for a period of 24 hours or less; an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contains less than 20 per cent of milk-fat, it shall be presumed for the

purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (f).—

7. (1) No person shall add water or any dried or condensed milk or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale, and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about, any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under Section 20 (d).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about, as milk, any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under Section 20 (d).

Section 20 (g).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size indicated below. The information shall be in black type, printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label, except the name of the article. The label shall be clearly visible to the purchaser and shall measure at least 2"×4" where only Kannada is used or at least 4"×4" where more than one language is employed.

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Section 20 (h).—

9. (1) Any person taking a sample of milk for the purposes of this Act may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added shall be approximately in proportion of one drop of formalin for every 2 oz. of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for breach of Rules.*—Every manufacturer or dealer or vendor who—(a) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (b) neglects to affix labels to notify in the manner prescribed, the fact of the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food, or (c) fails to give the purchaser, in cases mentioned in Rule 5, information contained in such labels by word of mouth at the time of purchase, or (d) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.